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09/887,982	06/22/2001	Babak Rezvani	CT-006	8195

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EXAMINER
NGUYEN, THU HA T

ART UNIT	PAPER NUMBER
2153	

MAIL DATE	DELIVERY MODE
06/10/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	09/887,982	REZVANI ET AL.
	Examiner	Art Unit	
	THU HA T. NGUYEN	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>28 January 2008</u>.

2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>61-63,65-70,72-77 and 79-81</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>61-63,65,70,72-77 and 79-81</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>3/24/08</u>.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   Claims **61-63, 65-70, 72-77, and 79-81** are presented for
examination.

2.   Claims 61, 65, 68, 72, 75 and 79 are currently amended.

3.   Claims 64, 71, and 78 are cancelled without prejudice.

Claim Objections

4.   Claims 65, 72 and 79 are objected to because of the following
informalities: Claims 65, 72 and 79 are depending on the cancelled claims.
Appropriate correction is required.

Response to Arguments

5.   Applicant's arguments filed 1/28/08 have been fully considered but
they are not persuasive because of the following reasons:

6.   Applicant argues that Humpleman does not teach or suggest
associating each of a plurality of user access device types with respective
template document. In response to applicant's argument, the examiner submits
that Humpleman does teach the feature of associating each of a plurality of user
access device types with respective templates documents (figures 6-8, col. 7,
line 4-col. 10, line 59, col. 13, line 15-col. 14, line 24 *–each device contains a
LOGO image file associated with manufacture's name, device name, device type,
device model…*).

7.   Applicant argues that Humpleman does not teach the feature of
selecting a template document associated with the determined user access
device type. In response to applicant's argument, the examiner asserts that

Humpleman does teach selecting a template document associated with the
determined user access device type (col. 9, line 6- col. 10, line 58, col. 13, line
15-col. 14, line 24; col. 17, line 1-col. 18, line 56 –*selecting the button/icon
associated with device type/capability based on determining the device
capability*).

8.   As a result, cited prior art does disclose a system and method for
generating a virtual representation of a device using a template document, as
broadly claimed by the Applicants. Applicants clearly have still failed to identify
specific claim limitations that would define a clearly patentable distinction over
prior art.

9.   Therefore, the examiner asserts that cited prior art teaches or
suggests the subject matter broadly recited in independent claims 61, 68 and 75.
Claims 62-63, 65-67, 69-70, 72-74, 76-77, and 79-81 are also rejected at least by
virtue of their dependency on independent claims and by other reasons set forth
in this office action. Accordingly, claims 61-63, 65-70, 72-77, and 79-81 are
rejected as below.

Claim Rejections - 35 USC § 102

10.   The following is a quotation of the appropriate paragraphs of 35
U.S.C. § 102 that form the basis for the rejections under this section made in this
Office action:

A person shall be entitled to a patent unless --
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in
the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent
by another filed in the United States before the invention by the applicant for patent, except that an international
application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an

application filed in the United States only if the international application designated the United States and was
published under Article 21(2) of such treaty in the English language.

11.   Claims 61-63, 65-70, 72-77, and 79-81 are rejected under 35

U.S.C. § 102(e) as being anticipated by **Humpleman et al.** (hereinafter

Humpleman) U.S. Patent No. **6,288,716**.

12.   As to claim 61, **Humpleman** teaches the invention as claimed,

including a method for generating a virtual representation of one of a plurality of

devices for a remote user access device using a template document comprising:

associating each of the plurality of devices with respective display

components (col. 7, line 26-col. 8, line 54, col. 9, line 17-col. 10, line 59);

associating each of a plurality of user access device types with respective

templates documents (figures 6-8, col. 7, line 4-col. 10, line 59, col. 13, line 15-

col. 14, line 24 –*each device contains a LOGO image file associated with*

manufacture's name, device name, device type, device model…), wherein each

of the template documents:

comprises a layout specifying an arrangement of display components, and

supports the plurality of devices (figures 6-8, 10-11, col. 7, line 4-67, col. 9, line

30-col. 10, line 59 –*template document comprises icon image file layout*);

determining the remote user access device type (col. 17, line 1-col. 18,

line 56 –*determining device type/capability*);

selecting a template document associated with the determined user

access device type (col. 9, line 6- col. 10, line 58, col. 13, line 15-col. 14, line 24;

col. 17, line 1-col. 18, line 56 –*selecting the button/icon associated with device type/capability based on determining the device capability*);

retrieving at least one display component for the device (col. 7, line 4-67);

inserting the at least one display component into the selected template document (figures 6-8, col. 7, lines 4-67, col. 9, col. 10, lines 26-58, col. 13, lines 26-51); and

generating the virtual representation for the device using the selected template document (col. 7, lines 4-67, col. 9, line 30-col. 10, line 59, col. 13, lines 15-51, col. 14, lines 26-41, col. 15, lines 23-63).

13.   As to claim 62, **Humpleman** teaches the invention as claimed in claim 1, wherein the template document is retrieved from a remote database (figure 4, col. 11, line 60-col. 12, line 22).

14.   As to claim 63, **Humpleman** teaches the invention as claimed in claim 61 wherein the template document is retrieved from the device (col. 7, lines 4-67, col. 14, lines 42-62, col. 15, line 49-col. 16, line 19).

15.   As to claim 65, **Humpleman** teaches the invention as claimed in claim 64 wherein the template document is further selected based on display language (col. 8, lines 55-67, col. 9, lines 30-45).

16.   As to claim 66, **Humpleman** teaches the invention as claimed in claim 61 wherein the at least one display component corresponds to a component on the device (col. 7, lines 4-67, col. 9, line 30-col. 10, line 59).

17.   As to claim 67, **Humpleman** teaches the invention as claimed in claim 61 wherein the at least one display component does not correspond to a component on the device (col. 7, lines 4-67, col. 9, line 30-col. 10, line 59).

18.   As to claim 68, **Humpleman** teaches the invention as claimed, including a system for generating a virtual representation of one of a plurality of devices for a remote user access device using a template document comprising:

means for associating each of the plurality of device with respective display components (col. 7, line 26-col. 8, line 54, col. 9, line 17-col. 10, line 59);

means for associating each of a plurality of user access device types with respective templates documents (figures 6-8, col. 7, line 4-col. 10, line 59, col. 13, line 15-col. 14, line 24 –*each device contains a LOGO image file associated with manufacture's name, device name, device type, device model…*), wherein each of the template documents:

comprises a layout specifying an arrangement of display components, and supports the plurality of devices (figures 6-8, 10-11, col. 7, line 4-67, col. 9, line 30-col. 10, line 59 –*template document comprises icon image file layout*);

means for determining the remote user access device type (col. 17, line 1-col. 18, line 56 –*determining device type/capability*);

means for selecting a template document associated with the determined

user access device types (col. 9, line 6- col. 10, line 58, col. 13, line 15-col. 14,

line 24, col. 17, line 1-col. 18, line 56 –*selecting the button/icon associated with*

device type/capability based on determining the device capability);

means for retrieving at least one display component for the device (col. 7,

line 4-67);

means for inserting the at least one display component into the selected

template document (figures 6-8, col. 7, lines 4-67, col. 9, col. 10, lines 26-58, col.

13, lines 26-51); and

means for generating the virtual representation for the device using the

selected template document (col. 7, lines 4-67, col. 9, line 30-col. 10, line 59, col.

13, lines 15-51, col. 14, lines 26-41, col. 15, lines 23-63).

19.   As to claim 69, **Humpleman** teaches the invention as claimed in

claim 68 wherein the template document is retrieved from a remote database

(figure 4, col. 11, line 60-col. 12, line 22).

20.   As to claim 70, **Humpleman** teaches the invention as claimed in

claim 68 wherein the template document is retrieved from the device (col. 7, lines

4-67, col. 14, lines 42-62, col. 15, line 49-col. 16, line 19).

21.   As to claim 72, **Humpleman** teaches the invention as claimed in claim 71 wherein the template document is selected based on display language (col. 8, lines 55-67, col. 9, lines 30-45).

22.   As to claim 73, **Humpleman** teaches the invention as claimed in claim 68 wherein the at least one display component corresponds to a component on the device (col. 7, lines 4-67, col. 9, line 30-col. 10, line 59).

23.   As to claim 74, **Humpleman** teaches the invention as claimed in claim 68 wherein the at least one display component does not correspond to a component on the device (col. 7, lines 4-67, col. 9, line 30-col. 10, line 59).

24.   As to claim 75, **Humpleman** teaches the invention as claimed, including a system for generating a virtual representation of one of a plurality of devices for a remote user access device using a template document comprising:

a processor programmed to: associate each of the plurality of devices with respective display components (col. 7, line 26-col. 8, line 54, col. 9, line 17-col. 10, line 59);

associate each of a plurality of user access device types with respective templates documents (figures 6-8, col. 7, line 4-col. 10, line 59, col. 13, line 15-col. 14, line 24 –*each device contains a LOGO image file associated with manufacture's name, device name, device type, device model*…), wherein each of the template documents:

comprises a layout specifying an arrangement of display components, and
supports the plurality of devices (figures 6-8, 10-11, col. 7, line 4-67, col. 9, line
30-col. 10, line 59 –*template document comprises icon image file layout*);

determine the remote user access device type (col. 17, line 1-col. 18, line
56 –*determining device type/capability*);

select a template document associated with the determined user access
device type (col. 9, line 6- 10, line 58, col. 13, line 15-col. 14, line 24, col. 17,
line 1-col. 18, line 56 –*selecting the button/icon associated with device
type/capability based on determining the device capability*);

retrieve at least one display component for the device (col. 7, line 4-67);

insert the at least one display component into the selected template
document (figures 6-8, col. 7, lines 4-67, col. 9, col. 10, lines 26-58, col. 13, lines
26-51); and

generate the virtual representation for the device using the selected
template document (col. 7, lines 4-67, col. 9, line 30-col. 10, line 59, col. 13, lines
15-51, col. 14, lines 26-41, col. 15, lines 23-63).

25.   As to claim 76, **Humpleman** teaches the invention as claimed in
claim 75, wherein the template document is retrieved from a remote from a
remote database (figure 4, col. 11, line 60-col. 12, line 22).

26.   As to claim 77, **Humpleman** teaches the invention as claimed in claim 75, wherein the template document is retrieved from the device (col. 7, lines 4-67, col. 14, lines 42-62, col. 15, line 49-col. 16, line 19).

27.   As to claim 79, **Humpleman** teaches the invention as claimed in claim 78, wherein the template document is selected based on display language (col. 8, lines 55-67, col. 9, lines 30-45).

28.   As to claim 80, **Humpleman** teaches the invention as claimed in claim 75, wherein the at least one display component corresponds to a component on the device (col. 7, lines 4-67, col. 9, line 30-col. 10, line 59).

29.   As to claim 81, **Humpleman** teaches the invention as claimed in claim 75, wherein the at least one display component does not correspond to a component on the device (col. 7, lines 4-67, col. 9, line 30-col. 10, line 59).

Conclusion

30.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory

action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

calculated from the mailing date of the advisory action. In no event, however, will

the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

31.   Any inquiry concerning this communication or earlier

communications from the examiner should be directed to Thu Ha Nguyen, whose

telephone number is (571) 272-3989. The examiner can normally be reached

Monday through Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Glenton Burgess, can be reached at (571) 272-3949.

The fax phone numbers for the organization where this application or

proceeding is assigned are (571) 273-8300 for regular communications.

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

for published applications may be obtained from either Private PAIR or Public

PAIR. Status information for unpublished applications is available through

Private PAIR only. For more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-

free).

/THUHA T. NGUYEN/

Primary Examiner, Art Unit 2153

May 24, 2008